

# Legislative Update for 27Mar08 GMAC Meeting

48th Legislature - 2nd Regular Session, 2008

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## GMAC/AzMAC: Bill Summaries

### H2021: ENDURING FREEDOM MEMORIAL; EXTENSION

The date by which the Enduring Freedom Memorial must be completed is extended to December 31, 2010, from August 25, 2007. Emergency clause.

First sponsor: Rep. Paton

H2021: ENDURING FREEDOM MEMORIAL; EXTENSION 3/25 from Senate gov with amend #4923.

### H2023: SPECIAL LICENSE PLATES; SUPPORT OUR TROOPS

The list of special license plates available for vehicles is expanded to include a "Support Our Troops" plate, designed by a non-profit entity that meets a set of criteria and that provides \$40,000 in start-up costs. Eight dollars of the \$25 annual cost of the plate is an administration fee and is deposited in the State Highway Fund. The remaining \$17 is donated to the non-profit that provided the start-up funding. AS PASSED HOUSE.

First sponsor: Rep. Paton

H2023: SPECIAL LICENSE PLATES; SUPPORT OUR TROOPS 3/11 Senate trans held.

### H2048: AVIATION; AIRCRAFT REGISTRATION (~~AVIATION; AIRCRAFT REGISTRATION; DEALER BOND~~)

The federal government is no longer required to register aircraft it operates in this state. The authority of the Dept of Transportation to contract for search and rescue services is deleted. AS PASSED HOUSE.

First sponsor: Rep. McClure

H2048: AVIATION; AIRCRAFT REGISTRATION 3/26 from Senate trans do pass.

### H2076: POSTSECONDARY EDUCATION COMMISSION; CONTINUATION

The statutory life of the Commission for Postsecondary Education is extended 10 years through June 30, 2018. A purpose section states the scope of authority of the commission. Retroactive to July 1, 2008.

First sponsor: Rep. Burns

H2076: POSTSECONDARY EDUCATION COMMISSION; CONTINUATION 3/17 from Senate rules okay.

### H2113: MUNICIPAL ANNEXATION; FINALITY

An annexation does not become final until the clerk of the city or town provides a copy of the adopted annexation ordinance to the clerk of the board of supervisors of each county that has jurisdiction over the annexed area (formerly, the annexation became final 30 days after the final adoption of the ordinance).

First sponsor: Rep. McClure

H2113: MUNICIPAL ANNEXATION; FINALITY 3/25 from Senate gov do pass.

### H2154: COUNTY PLANS; MAJOR AMENDMENTS

Major amendments to a county comprehensive plan are no longer required to be re-referred to the county planning and zoning commission after a public hearing, but may be re-referred at the public hearing.

First sponsor: Rep. Paton

H2154: COUNTY PLANS; MAJOR AMENDMENTS 3/24 referred to Senate gov.

### **H2155: TRANSFER OF DEVELOPMENT RIGHTS**

Before any transfer of development rights, a municipality shall adopt an ordinance providing for the right of a municipality at its discretion to enter into an intergovernmental agreement with another municipality for the transfer of development rights between jurisdictions. The board of supervisors of a county may authorize the transfer of development rights from unincorporated areas of a county to a municipality. Makes the current authority to transfer development rights permanent (was set to self-repeal on January 1, 2010).

First sponsor: Rep. Paton

H2155: TRANSFER OF DEVELOPMENT RIGHTS 3/17 referred to Senate gov.

### **H2213: UNIFORMED OVERSEAS VOTERS; ELECTRONIC TRANSMITTAL**

Permits early ballots from uniformed service members who are absent from the state to be returned by email or other electronic format. AS PASSED HOUSE.

First sponsor: Rep. Paton

H2213: UNIFORMED OVERSEAS VOTERS; ELECTRONIC TRANSMITTAL 3/25 from Senate jud with amend #4924.

### **H2221: COUNTY SUBDIVISIONS; NOTIFICATION**

If a reservation of an area within a subdivision for public use terminates due to a public agency's failure to exercise the reservation, the agency may notify the subdivider pursuant to any independent agreement between the public agency and the subdivider. AS PASSED HOUSE.

First sponsor: Rep. Paton

H2221: COUNTY SUBDIVISIONS; NOTIFICATION 3/17 referred to Senate gov.

### **H2223: MILITARY; TUITION WAIVER; TRANSFER (~~RETIRED MILITARY VETERANS; IN-STATE TUITION~~)**

A person who is on active duty with the US armed forces or has been honorably discharged from any branch of the armed forces and who qualifies for a tuition waiver at a state university or community college may transfer the waiver to a spouse or dependent child. AS PASSED HOUSE.

First sponsor: Rep. McClure

Others: Rep. Paton

H2223: MILITARY; TUITION WAIVER; TRANSFER 3/17 referred to Senate higher ed, appro.

### **H2249: MILITARY PROCESSION RIGHT-OF-WAY**

Defines "military procession" as two or more vehicles accompanying: the body of a deceased service member, a service member being deployed or returning from deployment, a person being honored at a military event, or a monument honoring service members. Right-of-way shall be yielded to each vehicle in a military procession. Sheriffs may certify drivers of military escort vehicles in the same manner as they certify drivers of funeral escort vehicles. AS PASSED HOUSE.

First sponsor: Rep. Jerry Weiers

Others: Rep. Burges, Rep. Clark, Rep. Gallardo, Rep. Tobin, Rep. Tom

H2249: MILITARY PROCESSION RIGHT-OF-WAY 3/20 from Senate trans do pass.

### **H2371: CRITICAL INFRASTRUCTURE; PIPELINES; REVIEW**

The director of the Dept of Homeland Security shall conduct a review and analysis of measures being taken by any state agency or authority or any political subdivision and, to the extent practicable, of any federal entity, to protect the security of critical infrastructure related to commercial aviation fuel, petroleum or natural gas transmission facilities and pipelines in the state that are not located on the premises of a commercial airport. Before January 1, 2010, and every 5 years thereafter, the director shall issue a report to the governor, the president of the Senate, the speaker of the House assessing the effectiveness of security measures and making recommendations. The Corporation Commission may require, by rule, that the recommendations of the director be implemented.

First sponsor: Rep. Chad Campbell

Others: Rep. Ableser, Rep. Adams, Rep. Burns, Rep. Cajero Bedford, Rep. Clark, Rep. Crandall, Rep. Desimone, Rep. Driggs, Rep. Farley, Rep. Konopnicki, Rep. Lopes, Rep. Meza, Rep. Pancrazi, Rep. Reagan, Rep. Schapira, Rep. Thrasher, Rep. Tobin, Rep. Ulmer

H2371: CRITICAL INFRASTRUCTURE; PIPELINES; REVIEW 3/26 passed House 60-0; ready for Senate.

## **H2495: REAL ESTATE DISCLOSURE; MILITARY TRAINING RANGES**

Documents regarding land divisions filed with the Dept of Real Estate must include a disclosure of whether the property is within a "military electronics range" (defined) of a military base. The Dept. must record documents with county recorders that disclose land contained in a military electronics range. A local government with any portion of a military electronics range within its borders must notify the base commander when the government receives an application regarding property within the range area to: rezone, build on, or subdivide the property. Maps delineating the area of a military electronics range must be posted on the Dept of real Estate's website. AS PASSED HOUSE.

First sponsor: Rep. Burns

Others: Rep. Alvarez, Rep. Farley, Rep. McClure, Rep. Nelson, Rep. Pancrazi, Rep. Paton, Rep. Prezelski, Sen. Arzberger, Sen. Bee, Sen. O'Halleran

H2495: REAL ESTATE DISCLOSURE; MILITARY TRAINING RANGES 3/26 referred to Senate K-12.

## **H2519: HEALTH SPA CONTRACTS; MILITARY MEMBERS**

Health spa contracts may be canceled if the customer is a member of the US military serving on federal active duty, but may be reinstated by the customer at the same rates within two years of cancellation. The spa must return contract fees prorated to date of cancellation and may additionally retain up to 25% of the contract price for administrative expenses. Such contracts may no longer be canceled upon the death or permanent disability of the customer. AS PASSED HOUSE.

First sponsor: Rep. Ableser

Others: Rep. Alvarez, Rep. Bradley, Rep. Chad Campbell, Rep. Crandall, Rep. Gallardo, Rep. Lopez, Rep. Meza, Rep. Paton, Rep. Rios, Rep. Sinema, Rep. Tobin, Rep. Ulmer

H2519: HEALTH SPA CONTRACTS; MILITARY MEMBERS 3/3 referred to Senate gov, com-econ.

## **H2640: PUBLIC OFFICERS; FINANCIAL DISCLOSURE**

The list of persons considered a "public officer" for purposes of statutes relating to standards for financial disclosure is expanded to include an appointee to any state board or commission.

First sponsor: Rep. Murphy

Others: Rep. Adams, Rep. Crump, Rep. Driggs, Rep. Nichols, Rep. Yarbrough

H2640: PUBLIC OFFICERS; FINANCIAL DISCLOSURE 3/26 passed House 59-0; ready for Senate.

## **H2652: HOMELAND SECURITY COUNCIL; COORDINATING; ADVISORY**

Eliminates the Dept of Homeland Security Coordinating Council. Changes the number of members in the homeland security regional advisory councils to 9 (formerly, 12). Changes the requirements for membership on the regional councils. The terms of certain current members of the regional councils shall not expire until December 26, 2009.

First sponsor: Rep. Brown

H2652: HOMELAND SECURITY COUNCIL; COORDINATING; ADVISORY 3/26 passed House 57-0; ready for Senate.

## **H2720: COMPACT; EDUCATIONAL OPPORTUNITY; MILITARY CHILDREN**

Authorizing the state to enter into the Interstate Compact on Educational Opportunity for Military Children. A purpose section states that the intent of the compact is to remove barrier to educational success imposed on children of military families due to frequent moves and deployment of their parents.

First sponsor: Rep. Pancrazi

Others: Rep. Ableser, Rep. Alvarez, Rep. Anderson, Rep. Boone, Rep. Bradley, Rep. Brown, Rep. Burges, Rep. Burns, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Chabin, Rep. Clark, Rep. Crandall, Rep. Crump, Rep. Desimone, Rep. Farley, Rep. Gallardo, Rep. Hershberger, Rep. Konopnicki, Rep. Lopes, Rep. Lopez, Rep. Lujan, Rep. Mason, Rep. Meza, Rep. Miranda, Rep. Nelson, Rep. Rios, Rep. Schapira, Rep. Sinema, Rep. Thrasher, Rep. Tobin, Rep. Tom

H2720: COMPACT; EDUCATIONAL OPPORTUNITY; MILITARY CHILDREN 3/26 referred to Senate K-12.

### **H2803: GOVT PROPERTY LEASE EXCISE TAX; MILITARY USE ZONES**

Retroactive to leases entered into after June 1, 2008, a governmental entity may not lease its land for private commercial purposes without first notifying the jurisdiction within whose boundaries the land exists and determining through an independent third-party study that the value to the local government exceeds the benefit in lower taxes experienced by the private sector lessee. The governing board of the local jurisdiction must approve the lease by a simple majority, without use of a consent calendar. AS PASSED HOUSE.

First sponsor: Rep. Nelson

Others: Rep. Clark, Rep. Crandall, Rep. Thrasher, Sen. Blendu

H2803:GOVT PROPERTY LEASE EXCISE TAX; MILITARY USE ZONES 3/19referred to Senate gov.

### **S1006: PROFESSIONAL LICENSE EXTENSIONS; MILITARY MEMBERS**

A professional license, certificate or registration issued to any member of the National Guard or Armed Forces Reserves shall not expire while the member is serving on federal active duty and shall be extended for 180 days after the member returns from active duty. No additional costs, late fees or delinquency fees are charged to members renewing their license, certificate or registration during the 180 period after returning from active duty. To qualify for a renewal extension after the 180 day period, the member must present to the licensing authority a copy of their official military orders or a written verification from their commanding officer. AS PASSED SENATE.

First sponsor: Sen. Waring

S1006:PROFESSIONAL LICENSE EXTENSIONS; MILITARY MEMBERS 3/19from House county-muni do pass.

### **S1083: SPECIAL LICENSE PLATES: GOLD STAR FAMILY**

The list of special license plates is expanded to include Gold Star Family license plates issuable only to immediate family members of persons killed while on active military duty. Of the \$25 annual fee associated with special license plates, \$8 is an administrative fee and \$17 is donated to the Veterans' Donation Fund established by ARS 41-608. AS PASSED SENATE.

First sponsor: Sen. Waring

Others: Rep. Saradnik, Sen. Gould

S1083:SPECIAL LICENSE PLATES: GOLD STAR FAMILY 3/18referred to House trans.

### **S1084: ENDURING FREEDOM MEMORIAL; EXTENSION**

The date by which the Enduring Freedom Memorial must be completed is extended to Dec 31, 2010, from August 25, 2007. Emergency clause.

First sponsor: Sen. Blendu

Others: Sen. Bee, Sen. Harper

S1084:ENDURING FREEDOM MEMORIAL; EXTENSION 3/4referred to House gov.

### **S1121: EMERGENCY RESPONSE COMMISSION; CONTINUATION**

Continues the Emergency Response Commission for 10 years until July 1, 2018. A purpose section states that the Commission is to supervise, coordinate and assist local emergency planning committees for the purposes of the Emergency Planning and Community Right-to-Know Act of 1986. Effective July 1, 2008.

First sponsor: Sen. Harper

S1121:EMERGENCY RESPONSE COMMISSION; CONTINUATION 3/11referred to House home sec-property.

### **S1169: MILITARY FAMILY RELIEF; FUND; COMMITTEE**

The list of person who may serve on the Military Family Relief Advisory Committee is expanded to include active and retired senior enlisted military personnel. Provides for the appointment of a chairperson for the Committee. Exempts the Committee from certain statutes relating to administrative procedures. Also permits the Committee to establish a 5-member subcommittee to approve emergency grants for amounts up to \$3,000 and to review, evaluate and make recommendations to the Committee regarding non-emergency applications for

assistance. Establishes a maximum grant amount of \$10,000. Expands the category of person eligible to receive assistance to include specified family members of deceased, wounded, injured or seriously ill service members or veterans (formerly, only those killed or wounded). Emergency Clause. AS PASSED HOUSE.

First sponsor: Sen. Arzberger

Others: Rep. Alvarez, Rep. Burns, Rep. Lopes, Sen. Aboud, Sen. Garcia, Sen. Rios, Sen. Soltero

S1169: MILITARY FAMILY RELIEF; FUND; COMMITTEE 3/19 referred to House ways-means.

#### **S1180: STATE LAND DEPARTMENT; SUNSET CONTINUATION**

Continues the State Land Dept for 10 years until July 1, 2018. A purpose section states that the intent of the Dept is to have charge of and control over all lands owned by the state, except for lands under the specific use and control of state institutions, and the resources in and on those lands and to regulate the use of and access to those lands and resources. Effective July 1, 2008.

First sponsor: Sen. Flake

S1180: STATE LAND DEPARTMENT; SUNSET CONTINUATION 3/13 referred to House county-muni.

#### **S1239: PAYDAY LOANS; REGULATIONS; SUNSET EXTENSION (~~PAYDAY LOANS; REGULATIONS; SUNSET EXTENSION~~)**

Laws authorizing payday loan transaction in the state, due to sunset on July 1, 2010, are extended two years to July 1, 2012. Information in the annual license renewal application required to be submitted by payday loan companies is expanded to include (for the previous calendar year): the total number and dollar amount of loans, the average annual percentage rate, average dollar amount, average length of term for loans, total dollar amount of fees collected, the total amount written off, and the total number of customers that entered into more than one loan transaction. The Dept of Financial Institutions is to aggregate the information and report to the Legislature and governor by Nov 1 each year. In session law, the Dept of Financial Institutions is to conduct a review by July 1, 2010, of information reported annually by the companies and of comparable loan rates and terms.

First sponsor: Sen. Blendu

S1239: PAYDAY LOANS; REGULATIONS; SUNSET EXTENSION 3/11 Stricken from Senate consent calendar by McCune Davis.

#### **S1277: DISABLED VETERANS; RETRAINING; TASK FORCE**

A 6-member task force is created to collect information on educational programs to retrain disabled military veterans, communicate opportunities to the community, coordinate communications between the community and educational entities, and assess the extent to which state universities have succeeded in out-reach to this community. A report to the governor and Legislature is due by Dec 1. Self repeals on July 1, 2018. AS PASSED SENATE.

First sponsor: Sen. Huppenthal

S1277: DISABLED VETERANS; RETRAINING; TASK FORCE 3/19 from House higher ed with amend #4828.

#### **S1300: FY07-08 BUDGET ADJUSTMENTS (~~TECH CORRECTION; FEDERAL FUNDS~~)**

Minor change in statute dealing with federal funds. Apparent striker bus.

First sponsor: Sen. Burns

S1300: FY07-08 BUDGET ADJUSTMENTS 3/6 Senate COW approved with amend #4192 and floor amend #4550; the rules tech amendment was withdrawn. NOTE SHORT TITLE CHANGE. Senate sat as in COW and adopted amend #4561. See H2857.

#### **S1334: COMPACT; EDUCATIONAL OPPORTUNITY; MILITARY CHILDREN**

Authorizing the state to enter into the Interstate Compact on Educational Opportunity for Military Children. A purpose section states that the intent of the compact is to remove barrier to

educational success imposed on children of military families due to frequent moves and deployment of their parents.

First sponsor: Sen. Bee

S1334: COMPACT; EDUCATIONAL OPPORTUNITY; MILITARY CHILDREN 3/26 from House educ do pass.

### **S1387: REAL ESTATE DISCLOSURE; TRAINING RANGES**

Documents regarding land divisions filed with the Dept of Real Estate must include a disclosure of whether the property is within a "military electronics range" (defined) of a military base. The Dept. must record documents with county recorders that disclose land contained in a military electronics range. A local government with any portion of a military electronics range within its borders must notify the base commander when the government receives an application regarding property within the range area to: rezone, build on, or subdivide the property. Maps delineating the area of a military electronics range must be posted on the Dept of real Estate's website. AS PASSED SENATE.

First sponsor: Sen. Bee

S1387: REAL ESTATE DISCLOSURE; TRAINING RANGES 3/25 referred to House county-muni.

### **S1430: VETERANS' HOME FACILITY; APPROPRIATION EXTENSION**

The exemption from lapsing for a 2006 appropriation for construction and establishment of a veterans' home facility in Tucson is extended 2 years to June 30, 2010. Emergency clause.

First sponsor: Sen. Bee

Others: Rep. Alvarez, Rep. Bradley, Rep. Burns, Rep. Cajero Bedford, Rep. Chabin, Rep. Hershberger, Rep. Konopnicki, Rep. Lopes, Rep. Lopez, Rep. Mason, Rep. McClure, Rep. Miranda, Rep. Nelson, Rep. Paton, Rep. Rios, Rep. Young Wright, Sen. Aboud, Sen. Arzberger, Sen. Garcia, Sen. Pesquiera, Sen. Soltero

S1430: VETERANS' HOME FACILITY; APPROPRIATION EXTENSION 3/20 referred to House appro.